

MAY 22 2008

McCracken & Frank LLP

Attorneys At Law

311 S. Wacker

Suite 2500

Chicago, Illinois 60606

Phone: (312) 263-4700

Fax: (312) 263-3990

May 22, 2008

TO: U.S. Patent & Trademark Office **YOUR REF:** Serial No. 10/677,874

FAX: (571) 273-8300

FROM: Cato Yang

PHONE: (312) 263-4700

FAX: (312) 263-3990

OUR REF: 29997/035B

No. of Pages including cover page: 3

Original will ☒ not follow via mail ☐ will follow

MESSAGE:

Included herewith is the following document:

Supplemental Information Disclosure Statement (2 pages)

If you do not receive all pages, please contact us at 312-263-4700

The documents accompanying this facsimile transmission contain information, which may be confidential or privileged and exempt from disclosure under applicable law. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this information is without authorization and is prohibited. If you have received this facsimile in error, please notify us by collect telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

MAY 22 2008**PATENT**
Atty. Docket No. 29997/035B**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

Applicant(s): Malackowski et al.

Serial No.: 10/677,874

Filed: October 2, 2003

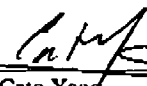
For: SURGERY SYSTEM

Group Art Unit: 3762

Examiner: Unknown

Certificate of Facsimile TransmissionI hereby certify that this paper is being
transmitted herewith via facsimile to Mail
Stop Amendment, Commissioner for Patents,
facsimile number (571) 273-8300, on:

May 22, 2008


Cato Yang
Registration No. 57,310
Attorney for Applicant(s)**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The applicants wish to call to the attention of the examiner pursuant to 37 C.F.R. §§ 1.56, 1.97, and 1.98 that the present application is a divisional of Patent Application No. 09/764,609, in which a Notice of Appeal was filed and a Decision by the Board issued. The '609 application is now abandoned.

CONSIDERED: /JL/

This Information Disclosure Statement is being filed, to the best of undersigned's knowledge, before issuance of a first Office action. In accordance with 37 C.F.R. §1.97(b), no certification or fee is required.

The identification of the above information is not an admission that such information is in fact prior art or material to patentability relative to the instant application.

/John Leubecker/

09/28/2008

Serial No.: 10/677,874

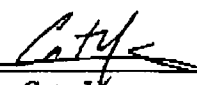
Information Disclosure Statement dated May 22, 2008

An early and favorable action on the merits is respectfully requested.

Respectfully submitted,

McCracken & Frank LLP
311 S. Wacker, Suite 2500
Chicago, Illinois 60606
(312) 263-4700
Customer No: 29471

May 22, 2008

By: 

Cato Yang
Reg. No: 57,310